the Court opened, Mr. Parsons resumed the crossexamination of Genet, who testified as follows:-I don't recollect that my bank account was produced in my examination before the Senate Committee; I don't remember that I helped Mr. Waterbury to arrange my checks; I don't remember very clearly what happened then; it was a year or a year and a half ago; I don't think I have thought about it since; it has been in the hands of my counsel, Mr. Waterbury; I don't mean to say I remem

ber distinctly the details of my bank account in 1871; I had nothing to do with the appointing of

my father-in-law that I remember.
Q. Was it by accident that of the six salaried officers engaged on this matter four were your relatives? A. I don't know there were four: but I have this to say-I will recommend or appoint my relatives as quick as you or any other man, if they are equally fit: I procured this act to be passed, and I believe the next thing was my appoinment; I believe I met Mr. Benjamin P. Fairchild and talked with him, I rather think about the site; I paid \$50 for the searches of the title; that is all I did personally about examining the title, except to get it examined; I charged this bill (bill shown) of \$5,000 services in obtaining the lots and searching title; I searched for a proper site; these lots did not satisfy me; I have not discovered that while hands and paid him; I had nothing further to do
with it; I don't think I was at the building more
than two or three times in the year; I have seen
the paper prepared by my connect, and which has
my name to it by my authority; I must state, on
the authority of Scallon's testimony, that he did
use the lumber for my house, and that I paid
him for it, and he used the money in paying the
Court House laborers; I may possibly have expostulated with him before the investigation about
the court house in the paid him for every foot of
fumber he put into my house; I know a Mr. Tweed,
who, I believe, its a builder and carpenter; I don't
know that he was at work on the Court House;
I don't think I ever talked with him about this
jumber; I never gave him a specification of
this lumber; Mr. Gage Inslee was architect
of the Court House and of my house; I
didn't know Mr. Tweed and Mr. Banker
more yor this lumber and sent it for some time;
there is more money legitimately spent for hones;
work there than people will allow; there was
money wasted there; I don't know black walnut
from other woods; I don't know black walnut
from other woods; I don't know what my stable is
trimmed with; I believe with black walnut, but I
don't know; I don't know what my stable is
trimmed with; I believe with black walnut, but I
don't know; I don't know what my stable is
trimmed with; I believe with black walnut, but I
don't know; I don't know what my stable is
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don't know; I don't know black walnut
from th

THE COURTS.

THE TRIAL OF HENRY W. G.

THE TRIAL OF THE T

the authentication of the Auditor's stamp and the Comptroller's signature. If, acting on prejudice and suspicion, the jury were to convict, the decendant would go to prison a vicarious sacrifice for the sins of others. Even if he personally presented the bill and said "Pay it, it is a true bill," they could not conclude that he did it with a criminal intent to deceive and defraud. If the bill was drawn for the honest purpose of raising money to pay for the goods, and if it be conceded Davidson then intended to deliver as soon as the money was ready, it might be irregular; but surely there was no intent to cheat and defraud, even though the bill represented the goods to have been delivered, provided Davidson intended to deliver shem. Besides all this, the money drawn went into the hands of the proper receiver from the into the hands of the proper receiver from the hands of Mr. Genet. He was not bound to trace it further. We have heard something of Davidson and his safes and his complication with the city affairs. His attorney, Mr. Pike, a reputable gentleman, testifies that he advised him to withdraw from all city contracts. Then Davidson refused to fulfil his contract, and the defendant handed the money—the identical money on the warrant—to the superintendent of the building, who expended it in payment of the workmen. He spoke of the solemitity and hollness of the duty which the law and the defendant committed to them, and said, though it was physically possible for them to find an adverse verdict on such evidence, the day of retribution would come. Every wrong doing is repaid in some form. He did not mean to say that in the biasting severity of that judgment which fell upon the magnates of the ring there was undue action by the jury found this defendant guilty of fraud on such evidence—the money being returned to the city and paid to city laborers—they would do him and themselves and society an unpardouable injury. He next combated the argument that would be made, that this tender of the money to Davidson was an after thought suggested by alarm. The first newspaper publications about city frauds was July 17, and the last July 26, it would be a most sucidal and ridiculous proceeding if Mr. Genet, wishing to cover up a frand, drew the money on the 31st July and kept it in his pocket nearly 30 days awaiting the return of Davidson. He need not have drawn it, he might have at into the hands of the proper receiver from the hands of Mr. Genet. He was not bound to trace it pocket nearly 30 days awaiting the return of David-son. He need not have drawn it, he might have at once turned it over to the Court House superin-tendent, or gone to Davidson with it, or to the Commissioners; and, besides, there was not one word about him or the Ninth District Court House

once turned it over to the Court House superintendent, or gone to Davidson with it, or to the Commissioners; and, besides, there was not one word about him or the Ninth District Court House in the Times' articles. He referred to the delendant's receiving \$5,000 fee as counsel to the Commissioners, if he did not give an equivalent service let nim be sued for it. But counsel knew of some little difficulties of that kind, without any imputation of criminality. When he hears of a counsel charging \$10,000 for winding up the affairs of a trust company or a savings bank he received him as a counsellor still, and only considered him as naving a better capacity for charging. In concusion Mr. Beach said he asked for no mercy. He asked in the name of the law for the benefit of the doubt which the law allows the accused and for the exercise of a becoming humanity, remembering that the detendant was before them as one interest above reproach, a reputable and honored citizen, elothed with the noblest certificate of honorable citizenship which in this country can be conferred on any one, approved by those who have known him longest and best.

SUMMING UP FOR THE PROSECUTION.

Mr. Peckham commenced to sum up at forty minutes past four P. M. for the prosecution. He began by a reference to the last observation of Mr. Beach, that the defendant came before the jury with a character hitherto without reproach. Of this there was not one lota of proof. The law simply presumed him innocent of the charge until convicted, and gave him an opportunity of proving his good character. Yet all the proof of character given was election to the Legislature. With shame he put it to them whether the fact of being a member of the New York Legislature, in late years, placed a man's character above reproach? (Laughter.) Yet, beyond that, there was hothing as to character, except the unsupported assertion of the defendant's counsel. As to the assertion in the opening for the delence, that the District Attorney was sick and the gentleman acting for him h

EX-MAYOR HALL TO HAVE A NEW TRIAL.

It would appear from the subjoined correspondence that there is to be a retrial of ex-Mayor Hall upon the indictment pending against him in the Court of Over and Terminer. As will be seen by Mayor Hall's answer to the notification of an intention on the part of Mr. Barlow, the Attorney General of the State, to move on his trial on Monday next, he stands ready now to meet the issue with the same prompt fearlessness as on the occa-sion of his first trial. The following is the corre-spondence on the subject, which explains itself:— The ATTORNEY GENERAL TO MAYOR HALL.

THE ATTORNEY ORASHAL TO MATCH HALL.

New York, 21 Park Row, Dec. 18, 1873.

Hon. A. Oakey Hall:—
Sin—I hereby give you notice that the trial of the indictment against you in the Court of Oyer and Terminer, upon the trial of which the jury heretofore disagreed, will be renewed on Monday December 22 inst. Yours, &c., FRANCIS C. BARLOW, Attorney General.

MAYOR HALL'S ANSWER.
DECEMBER 18, 1873. Mr. ATTORNEY GENERAL:

Sim—I hereby accept your notice, and will be as ready to meet you then as I have herefore been. Your obedient servant,

CAREY HALL.

Action Against an Insurance Company, Before Judge Nathaniel Shipman and a jury. The further hearing of the case of De Camp vs. The New Jersey Mutual Life Insurance Company was resumed yesterday. This is an action to recover from the defendants \$10,000, being the amount of a policy of insurance effected on the life of one John H. De Camp.

Dr. J. B. Jones. Coroner for Brooklyn, was produced as a witness on the part of the defendants.

duced as a witness on the part of the defendants.

He testified:—I held the inquest on De Camp's body; Mrs. De Camp was present at the inquest; she appeared to know what she was stating; De Camp died from exhaustion, produced by alconolic stimulants and narcotics.

Cross-examined—All I know about De Camp was derived from the statements of others; I went for Mrs. De Camp to come to the inquest; she was much agitated and depressed; I cannot now well remember the condition of De Camp's body at the time of the inquest, and, therefore, I have no substantial basis for my opinion as to the cause of De Camp's death.

This closed the examination of witnesses for the defendant.

Extimony for the Flaintiff.

Doctors J. J. Higgins and R. R. Semseney gave evidence to the effect of exhaustion, produced by narcotics rather than by alcohol.

Several witnesses deposed that De Camp was not and intemperate habits.

And in of intemperate habits.

And in of intemperate habits.

And in the case, the hour for the funeral of Jady e Nelson having arrived, Judge Shipman adjourned the Court till this morning.

SUPREME COURT-SERERAL TERM

Notice to the Bar.

It all eases intended to be argued at the January term of the court new notes of issue must be filed with the Clear k 10 days before the first Monday, such a rotes to routain the old number of the cause, such a rote to routain the old number of the cause, and the name of the Judge who tried the cause.

& PREME COURT.

Application for A Writ De Lunatico Inquirendo Ag. vinst an Uncie.

Before a She 'iff's Jury.

The case of William H. Has 'rison and five others, nephews and nieces of George Harrison, a large property owner in the city, which is now progressbefore a .F beriff's jury in ra sponse to their ing before a veriff part in factor inquirendo, call for a veriff de lanatics inquirendo, is growing in interest as it reaches is growing in interest as it reaches its probable chosing point. The George and nieces make am tavit that their uncessions and nieces make aintavit that their unce. George Harrison, now 66 years of age, is and long heart of intemperate habits, and that he is not, the foregoing the continuous of the property he has acquired, which they estimate worth \$300,000, and others rate at more than \$1,000,000. It is shown that similar proceedings were had in 1862, when the prayer of the petition was granted; and it is chaimed that since the defendant regained control of his property he has again occome, tarough intemperance, unfitted for its proper control. George Blair, whilam Cathgart and others testify that he has rewarded those who have served him with nausual generosity, and that they have seen him when they were sure he had partaken too freely of intoxicating liquors. In this connection it was stated that the defendant was a bachelor, and had no relatives nearer akin to him than the petitioners. E. S. Belknap, Mrs. Merritt, Mrs. Eliza Nixen, George Shea and Mr. Merritt, husband of the previous witness, all testily to having known him, and some of them to having done business with him for a number of years; that he was never known by them to be of intemperate habits, or to be from intemperance unfitted for business. It was also shown in evidence that Mr. Harrison had acquired his large property while as devoted, socially, through a number of years to just the same habits as are here made the groundwork of the petition, and that since he regained control of his property he has managed it so that it has in no way decreased in valve, this being the main point sought to be established by his disinterested relatives. This case, which comes from the Supreme Court, is one of general public interest from the relationships of the parties, the amount involved and the precedent sought to be established by it.

SUPREME COURT-CHAMBERS. Decisions.

Becisions.

By Judge Ingraham.

Nassau Bank vs. Frizeile, Ostrander vs. Ostrander, Klaber vs. Bond, Baker vs. Harris, Hawkins vs. Burnham.—Motions granted.

Williams vs. Wulliams.—Reference ordered to ascertain a suitable sum for counsel fee and almony.

Mossback vs. Mathes.—Motion granted for \$125 to plaintiff and \$50 to guardian.

Pentz vs. Hughes.—Motion denied, with \$10 costs.

Bernstein vs. Solomon.—Memorandum for coun-By Judge Fancher. Wood vs. Dowdney.—Memorandum.

SUFERIOR COURT-SPECIAL TERM. Decisions.

By Judge Freedman. Hawkins vs. Hawkins.—See memorandum on cierk's minutes. Wennies vs. Garde.—Motion granted.

Backlen vs. Hardenberg.—Order settled and COURT OF COMMON PLEAS-SPECIAL TERM.

The Assistant Clerk of the Seventh Civil Judicial District Court.

Before Judge Loew. Several days since, as reported in the HERALD, motion was made and argued in this Court for a mandamus directing Judge Stemmer to place on the pay roll the name of Peter Masterson, had been appointed by Judge McGuire assistant clerk of the Seventh District Civil Court. Masterson was appointed at the beginning of Judge McGuire's term, four years since, and on Judge Stemmler taking his seat, pursuant to a recent verdict in his favor, for the remaining two years of the term, he removed Masterson and appointed another cierk in his place. It was claimed for Masterson that his appointment was for the entire term. Judge Loew rendered a decision in the case yesterday. His opinion, which is brief, is as follows:—"I incline to the opinion that, notwithstanding it has been recently adjudged that Justice Stemmier is the Justice de jure of the District Court for the Seventh Judicial district, the appointment of the relator to the office of assistant clerk of said Court is valid, and that he may lawfaily hold and exercise the same for the following reasons:—First, it is well settled that the acts of an office defacto are valid and binding when they relate to the public or to third persons who have an interest in them. (see People vs. Stevens, 5 Hill, 520, and cases there cited.) Second, Justice McGuire was the Justice de facto of the Court referred to at the time time he appointed the relator. He did not intrude into and usurp the office without any color of right. He received a certificate of his election thereto from the Board of City Canvassers, and therefore came into office under color of title and he had exercised the powers and performed the duties thereof upwards of two years previous to the time when the appointment was made. I think a mandamus should issue."

Decisions. pointed another clerk in his place. It was claimed

Decisions.

bekert vs. Smith.—Motion to place cause on pectal calendar for short causes denied, without lost. Sherwood vs. Marshall.-Motion granted. See memorandum. Fitzgeraid vs. South Side Railroad Company.—

Objections overruled.

Recknagle vs. Recknagle.—Motion for reference granted, Davill vs. Lowenberg.-Motion granted. See memorandum.
People ex rei. Masterson vs. Stemmler.—Mandamus allowed. See opinion.

COURT OF GENERAL SESSIONS. Sent to State Prison for Felonious Assault.

Before Recorder Hackett. The trial of Charles Westgate, which was commenced on Wednesday, was concluded yesterday. and resulted in his conviction of an assault with intent to do bodily harm. On the 19th of November he cut John Clarke in the neck with a knife, and if the wound had been one-sixteenth of an inch pearer the jugular vein it would have caused in-stantaneous death. It was shown that Westgate was subject to fits from excessive drinking, and that while sober he was a peaceable man. The Recorder sent him to the State Prison for three

Keeping a House of Prostitution. Madeline Pinkerville was convicted of keeping a bawdy house in Elizabeth street, two young girls having testified that the defendant let rooms for the purpose of prostitution. She was remanded for sentence.

A.Plea of Guilty. William Meyers, who, on the 6th of October, stole a plated watch from Charles Meirs, pleaded guilty to petty larceny, and was sent to the Penttentiary for six months. A Youthful Highwayman Sent to the

State Prison for Five Years. John Benson, a youth, who was jointly indicted for robbery with James Brennan and John Sutton, was convicted. The testimony for the prosecution showed that on the 4th of September the com-

BUSINESS IN THE OTHER COURTS.

attending the Caledonian picnic, and, while icaving the gate, Mathews was attacked and robbed of \$25. Benson tripped Mathews and the other confederates took the money. His Honor sentenced Benson to the State Prison for ave years.

Grand Larcentes. Jeremiah Carroll, who, on the 31st of October. stole \$130 worth of eigars, the property of Abraham

Meyers, pleaded guilty.
Christopher Gallagher, who, on the 2d of this month, cut Charlotte Ferry in the side with a knife, pleaded guilty to an assault with intent to do bodily harm. They were each sent to the State Prison for two years and six mouths.

Joseph Miller, charged with stealing an overcoat from the residence of Richard F. Haisted, No. 41 West Twenty-muth street, on the 3d inst., pleaded guilty to an attempt at grand larceny. He was sent to the Penitentiary for 1s months.

Alleged Homicide.

George Rose was placed on trial charged with homicide-the indictment not specifying any particular degree-in causing the death of Henry Burke, a little boy five and a haif years old. The testimony was brief, from years old. The testimony was brief, from which it appeared that, on the 16th of June, 1872, the accused, who is a mason, was working at a house in East Thirty-second street, and naving been previously annoyed by boys running away with his wheelbarrow, on the atternoon in question he ran after the little fellows and threw a small hatchet. This happened to strike little Burke, inflicting a wound on the skull, which resulted in his death a few days afterwards. Mrs. Whizam, Mrs. McAnana and William Monaghan, who were passing through the street at the time, saw the occurrence. The child was carried by Rose to a drug store, and from thence to Bellevine Hospital. Rose stated that the hatchet slipped out of his hand accidentally as he threw up his hands to frighten the children away. A number of gentlemen whom Mr. Kintzing called testified to the good character of the accused. At the close of the summing up the Recorder said he would charge the jury this morning.

HARLEM POLICE COURT.

Exemplary Justice-A Brutal Father. Edward Tully, of 249 East 120th street, arraigned his boy, named Edward Tully, Jr., aged 13 years, before Judge Rasmire, and complained he was depraved and ungovernable, and asked that he be committed to the Catholic Protectory. His request was complied with. While officer McKeom was was complied with. While officer McKoom was escorting the boy from the court room, the unnatural parent ran up to the little lellow, who was sobbing bitterly at the time, and struck him a severe blow on the head. Judge Smith, who occupied the bench with the presiding magistrate, witnessed the brutal act and caused the arrest of the unfeering father. A formal complaint was drawn up and signed by Judge Smith, upon which Tally was held in \$300 ball to keep the peace, in sleanly of which he was committed to the Island for 30 days. Tally, when in the court room, showed evidences of intoxication.

COURT CALENDARS-THIS DAY.

SUPREME COURT—CIRCUIT—Part 2—Adjourned Term—Heid by Judge Van Brunt—Short Causes.—
OS. 5102, 3228, 1772, 1458, 2900, 3912, 3024, 2806, 20, 2, 3120, 2732, 2944, 3000, 3118, 1766, 2752, 2824, 2873, 3034, 3170, 3216, 2792, 2789, 2812, 2846, 2880, 2023, 3034, 3170, 3216, 2792, 2789, 2812, 2846, 2880, 20248, 3086, 3078, 3142, 3202, 3229, 3224, 2802, 3087, 3142, 3202, 3229, 3242, 3014, 3016, 3 248, 278, 342. SUPERME COURS — CHAMBERS—Held by Judge Ingraham.—Nos. 66, 61, 65, 69, 71, 79, 80, 81, 82, 85, 99, 101, 103, 108, 116, 111, 168, 173, 180½, 183, 187,

99, 101, 103, 105, 116, 117, 150, 116, 150, 150, 151, 161, 160, 196, 198.

SUPERIOR COURT—TA IAL TERM—Part I—Held by Judge Monell.—Short & Uses.—Nos. 1146, 1378, 1276, 1082, 1170, 1203, 1147, 11.44, 1340, 1290, 1237, 1305, 1121, 1293, 1359, 1253, 1357, 1352, 1391.

COUET OF COMMON PLEAS—EQUITY TERM—Held by Judge Robinson.—No. 18.

MARINE COUET—TRIAL TERM—Part 1—Adjourned for the term.—Part 2—Held by Judge Shen.—Nos.

MARINE COURT—TRIAL TERN —Part 1—Adjourned for the term. Part 2—Heid by Judge Shea.—Nos. 2840, 1993, 3621, 2955, 3044, 333 9, 2769, 3595, 2903 2824, 2922, 2883, 2519, 2687, 2955, 5699, 3791. Part 3—Heid by Judge Joachimsen—Nos. 3042, 3760, 3052, 2067, 3075, 2694, 3604, 3612, 3662, 38h1, 3818, 3832, 3773, 2938, 3998, 3290, 3792, 3793, 5486, 3940.
COURT OF GENERAL SESSIONS—Held by Recorder Hackett.—The People vs. James Armstrong, robbery; Same vs. Henry Simon, rape; Same vs. Wilnelm Jacobs, burglary; Same vs. George Robertson, burglary; same vs. Wilnelm Jacobs, burglary; Same vs. Elia Johnson, larceny and receiving stolen goods; Same vs. John Wilhelm Jacobs, Murgiary; Same vs. Ella Johnson, larceny and receiving stolen goods; Same vs. John McCoy (two cases), larceny and receiving stolen goods; Same vs. George Nierney, larceny and receiving stolen goods; same vs. Mary Ann Watts, larceny and receiving stolen goods; Same vs. George Flynn, grand larceny; Same vs. John Roberts, grand larceny; Same vs. John Roberts, grand larceny; Same vs. Filly Seymour, grand larceny; Same vs. Filly Seymour, grand larceny; Same vs. William Waither, forgery.

BROOKLYN COURTS.

A Bankrupt Broker.

A meeting of the creditors of William L. Woodward, the insolvent broker of New York, was held at Register Winslow's office vesterday. Charles Jones was appointed assignee. The following named creditors of Mr. Woodward reside in Brooklyn:-Coleman Benedict 6i South Portland avenue \$2,456 58

Coleman Benedict, 61 South Portland avenue \$2,456 58
William R. Gould, 120 Willow street, of the firm
of Leavitt & Gould
Robert J. Kimball, 200 Carlion avenue, of Kim-
ball & Taylor 48,145 88
Albert E. Hachfield, 226 Clinton avenue, of
Hachfield & Co
Albert Josephson, 437 Clinton street
Charles Northrup, 90 Montagne street
Alexander W. Shepard, 27 Smith street
Edward C. Bowen, 55 Willow street, of Fitch &
Bowen
Jonathan Eubbard, 250 Larayette avenue, of
Hubbard, Craven & Co 16,050 00
John A. Johnson, of Johnson & Cammann, and
George R. Cammann, 13i Gates avenue 6.652 28
Horatio L. Olcott, 66 Cheever place, of F. P. &
H. L. Olcott
8 tephen V. White, 210 Columbia Heights
Hiram W. Mead, 252 Columbia street 3.787 50
Milton L. Caldwell, 136 Hicks street, of Catdwell
& Co
Josiah S. Golgate, 338 Clinton avenue 3,400 co
Samuel J. Heebe, 123 Kosciusko street 500 60
Altred N. Jones, 283 Ryerson street 4,748 42
James B. Bach, 46 Remsen street, of Willard Martin & Bach 9250 00
Martin & Bach 9,250 00
Frederick H. Smith, 90 Montague street
& Boocock
Alexander G. Wood, 122 Renisen street. 435 65
Spencer D. C. Van Bokkelen,335 Chinton avenue 32,256 30
Charles Stokes, 36 Cambridge place
Frederick A. Wing, 468 Vanderbilt avenue. 5,500 00
Henry R. Jones, Gates and Clinton avenues 9 000 00
Frederick A. Ward, 161 Remsen street 1 200 00
Thomas P. White, 502 Henry street
Benjamin A. Whittaker, 160 Gates avenue 3.744 00
Edward F. DeSelding, 409 Fulton street 808 25
Charles E. Quincey
Mr. Woodward sets forth his assets as follows:-
Personal property-
Promissory notes
1,040 shares of 8:00k in Sonoma Quickshver Min-

Interest in land—
Two lots in Brooklyn—one on St. James place, near Laiayette avenue, and the other on Clermont avenue, near Myrtle.

Property exempt—

COURT OF SESSIONS. The Grand Jury-Sprague Again.

Before Judge Moore. The Grand Jury appeared in court yesterday

morning and presented a number of indictments. The prisoners, save one, all pleaded not guitty, and different days were assigned for the trials. James Smith pleaded guilty to burglary in the third de-gree and was sentenced to the Penitentiary for one Year.
Then the District Attorney and the counsel for C.

Then the District Attorney and the counsel for C.
A. Sprague, the alleged detaulting City Treasurer,
had some more talk about that case. Mr. Britton
said he would not move the trial this month, and
would agree with counsel on the other side upon
a time that would suit them all. The counsel on
the other side were satisfied, and all parties then
left. Mr. Sprague was present during these proceedings and appeared as healthy and unconcerned
as ever.

COURT OF APPEALS CALENDAR.

ALBANY, Dec. 18, 1873, The following is the Court of Appeals day calen-dar for Friday, December 19:—Nos. 99, 150, 127, 69, 70, 87, 161, 202, 172, 14. UNITED STATES SUPREME COURT.

Decisions. WASHINGTON, Dec. 18, 1872.

the Circuit Court for the Northern District of Himois-Submitted Under Twentieth Rule.-This is an action on municipal bonds, issued to the Illinois Grand Trunk Railway in pursuance of an act of the Legislature of the State. The delence was that the authority to issue the bonds was not dethat the authority to issue the bonds was not derived from an election of the people, and that, as the election was void for irregularity, the bonds were also void. The judgment below was for the plantiff, sustaining the validity of they bonds, the court holding that the authority for their issue was the order of the legislature, and that, as they are in the hands of innocent holders, the defence could not be anaintained. It is here urged that the bonds are void for irregularity in the election, because the call for the election was addressed to no one, when the law required it to be addressed to the town clerk; because at the election only legal voters were allowed to vote, while by the law all the adult made manabitants, (preigners, as well as citizens.

No. 154. Hall and Connoily vs. Jordan-Error to the Supreme Court of Tennessee. -In this case the defendant in error sold land to the plaintiffs, but stamped the deed with only \$13 worth of stamps, as if the purchase money were only \$13,000 in currency, when in fact, it was, as alleged, \$13,000 m gold or its equivalent in currency. Under these circumstances the plaintids here contend that they took no title because the deed purporting to convey it was not stamped according to the provisions of the stamp acts of the United States. The deience was not noticed in the ladgment below, and the plaintins were decreed to pay the balance of the purchase money. It is here said that the revenue laws are for the benefit of the United States, and that the omission to properly stamp will be deemed fatal to the instrument. The defendant contends that there is no law requiring the stamp on deeds or other instruments to be regulated by the currency values when the transactions were for gold colic that no such requirement as applies to incomes and taxable preducts under the act of July 13, 1866, is made applicable to stamp taxes. Reverdy Johnson for plaintids in error; F. P. Stanton for defendant.

No. 33. Coffin vs. Ogden & Woodruff—Appeal currency, when in fact, it was, as alleged, \$13,000 in

No. 38. Coffin vs. Ogden & Woodruff-Appeal from the Circuit Court for the Southern District of New York .- This was a bill to restrain the defendants from an alleged intringement of a reissued patent, the property of the complainant, for an improvement in locks and latches, originally granted to one Kirkham. The defendants claimed that Kirkham's patent did not cover an original invention, but that one Erbe had anticipated it by a prior invention; and that they sold similar locks, manufactured under a subsequent patent, to one Brooks. The Court sustained the defence, and it is here urged that the patent being prima tacle evidence of the novelty of the invention patented, the onns of broof to show a want of novelty is on the defendants, and to maintain the defence they must prove it beyond teasonable doubt. Such proof was not made, but it was proven that Erbe's invention was not reduced to such a practical form as admitted of use, but ended in simple experiment, and was not entitled to defeat the patent of Kirkham. It had never been in use, and to allow this experiment to invention of both the object and the potav of the patent laws. George Gifford for appellant and B. F. Thurston and S. D. Law for appellees. improvement in locks and latches, originally

A ROW BETWEEN ACTORS.

An Actress in the Scrape-One of the Combatants Dangerously Wounded by a Pistol Ball and the Other in Jail. [From the Rochester Union, Dec. 17.] On Monday we made notice of the fact that the day previous an actor named Harry McHale, who had been employed at the Opera House, had attempted suicide while laboring under the excitement incident to the belief that his wife, an actress, had been criminally intimate with one Joseph Franks, an attaché of the Opera House. The trouble between McHale and Franks had been reported to Mr. Hall, the lessee of the Opera House, and he thought it a prudent matter to terminate the engagement of McHale and his wife. He could find no evidence against Franks that would justly him in discharging him and he remained in his employ. Mr. Hail was determined that out of the trouble no odium should attach to himself or the opera House. This morning the sequel to this chapter came to light in the shooting of Franks by McHale in Schoefiel's saloon, South St. Paul street. From an eye withess of the transaction we get the following state of lacts:—For the past few days Franks has had a boy, named Barney Schrimar, sleep with him and accompany him from place to place, so that he could be a witness as to his (Franks') whereabouts on certain occasions, in case the question should be raised in connection with his trouble with McHale. Between hal-past pine and ten o'clock this foremoon, while McHale was in the saloon, Franks came in, and, throwing off his cost, said he could whip any — who followed him about the street. He would not allow any man to followed him, but he could tell him that some of his (McHale's) friends had, and they were officers. Franks said that he had no objection to an officer following him. Mr. Wilson acted as peacemaker, and all three men took a drink. Franks and McHale saying they would there let the matter drop. Franks then left the place, and, shortly atterward, McHale, accompaned by Wilson. The first named wanted the latter to go with him to the Waverley Hotel, as he wanted to see about some beggage. On the way to Water Street McHale acted very strangely, and Wilson thought that his mind was affected. He started back in a fright at a loose brick in the sidewalk and was evidently very much excited. But wo to Water Street McHale acted very strangely, and wilson thought that his mind was affected. He started back in a fright at a loose brick in the sidewalk and was evidently very much excited. But we would be refunded by Police. Jastice Wreeter for a warrant to pat Franks under bonds to keep the peace. The Police Justice thought the applicant was under the influence of liquor, a the engagement of McHale and his wife. He could find no evidence against Franks that would justily

said, be thought was not in his right mind and there might be trouble. Wilson went into the salion then and sat talking with a friend when McHale eame in. He approached the two gentiemen and asked them if they were talking about his troubles, and was informed that they were not. In a lew minutes thereafter Franks came in and walked up up to the counter and commenced to write on a show bill. He had not spoken a word to say one then. In a moment alterward McHale, who had been sitting in a chair, arose, took a step or two toward the counter, drew his revolver and fired. He then attempted to fire again, when wilson struck and threw up his arm. At the same time Mr. Dyer rushed forward and choked McHale to the floor. Franks staggered, but was saved from falling and seated in a chair. The blood was rushing from his head. Drs. Dann. Collins, Buckley and Casey arrived in a few minutes and proceeded to examine Franks. At the same time several policemen arrived and aconveyed McHale to the police station, where he was locked up. He was terribly excited and raved, wanning his mother to be sent for, &c. He also said that he hoped Franks was not much injured. The physicians found that the bail from McHale's pistol had entered the lobe of Franks' left ear and passed through his mother to be sent for, &c. He also said that he wounded man district, and the stip of process, but had not severed any artery. He did not bleed very much. The bail was not extracted. He was then taken to his room in Front street, where the surgeons made a further examination. They express the opinion that the wounded man will recover; indeed, they do not look upon the wounded man will recover; heleed, they do not look upon the wounded man will recover; heleed, they do not look upon the wounded man will recover; heleed, they do not look upon the wounded man will recover; heleed, they do not look upon the wounded man will recover; heleed, they do not look upon the wounded man will received \$50 per week. He said that he wounded man will receive \$50 per wee No. 480. The Town of Ohio vs. Marey.-Error to ENGLAND VS. AMERICA.

Challenge to Owners of Pointers and Setters.

(From the Forest and Stream, Dec. 18.) We take especial interest in publishing the following letter from Mr. Price, of Baia, North Wales, the owner of the famous pointer Belle, with the sanction of the Rev. Cumming Macdona. As yet we have had no practical trials or field tests of pointers and setters in the United States. Yet there are many gentlemen sportsmen who own first class American bred dogs who would be willing to enter tacir animals for these tests in the field. Prize dogs are very handsome to look at and expatiate

were to be allowed to vote; because the vote was to subscribe stock to the lilinois Grand Trunk Railway Company, "while the subscription was in fact to the lils. G. T. Kailway;" also, because the efection was not held by the proper officers. M. T. Peters and J. B. Hawley for the plaintiff; Paddock & Ide for defendant. the liberality of the challenge is characteristic of the gentlemen concerned. We would suggest to us a visit. We will promise birds such as pinnated grouse and quail ad libitum. As to the ground, the open prairie would be the most desirable loca-

BIRNINGHAM, EDG., NOV. 22, 1573.

We are pleased to hear that our respected cousins on the other side of the Atlantic are beginning to take an interest in fleid trials on game for pointers and sotters, the newest, and by many thought the most interesting of all our British sports, and in order to give these sportsmen in America, who have taken up shooting dogs, and apportunity of seeing the best animals perform that England can produce Mr. Macdona and myself will be glad to make a friendly match against any pointers or setters now in America; not English dogs, imported for the purpose—these we can run at home—but bons jide American animals. If the owners of the American team consent to run in England we will gladly pay expenses, and in this case a well known sportsman and master to run in England we will gladly pay expenses, and in this case a well known sportsman and master of tox hounts, Sir Watkin William Wynn, of Wynnstay, will lend the requisite ground and game. I should propose that a double match, brace against brace, should first be run off, then two single matches to follow. I would surgest as the English lugge the name of Viscount Combernere, a well known arbitrator at need trials and a renowned sportsman. Also, the 13th and 14th of August next as the date for running off the match, and, it preterred, two brace from each country can take part in it. Your obedient servant, liver and white each a received to the server of the page of the story of the champion pointer of England, is a liver and white each a received to the server.

VALUE OF POINTS WHEN PERFECT.

We call the attention of the following Reuse-men to the above challenge:—Colonel Trigg, of Glasgow, Ky.; Mr. George Taylor of Virginia; Dr. Myers, of Savannah; Mr. Stephen Whitney, of Morristown, N. J.; Mr. R. Robinson, of Brooklyn; Mr. Eyrich, of Mississippi; Mr. Raymond, of New Jersey; Mr. Scott Rodman, of New Jersey, and Colonel Knight, of Wisconsin. REAL ESTATE.

We call the attention of the following gentle-

Yesterday was another quiet day in the real

BUSINESS OPPORTUNITIES. GENTLEMAN, WITH £500, WANTED, TO JOIN Al. and undertake the management of a very profitable business upon salary and share of profits, estimated from former results at \$100,000 per annum. Address AJAX, Herald Uptown Branch office.

A PARTNER WANTED—IN A PATENT: THIRTEEN
States sold: a rare chance for a man of small capital. Patentee can be seen for two days. Good references
can be given and required. JOHN DURVEA.
385 and 386 West Washington Market, for two days. A N OLD CASH MANUFACTURING BUSINESS, NET-

A ting \$10,000 per year, for sale at a sacrifice (\$4,000); much less than real value; must be sold owing to other business; particulars upon interview. Address SACRIFICE, box 219 Heratd office. A NAUCTIONEER (AMERICAN), ABILITY SECOND to none, would engage to sell dry goods or notions on commission or salary. Address ADAMS, 120 West 122d street.

A WOODYARD, HALF INTEREST, CHEAP FOR cash, if sold before Saturday noon; want more capital. Apply on premises, corner of Goerck and Houston streets, prompt. A BARE OPPORTUNITY TO PURCHASE A FIRST class Stationery and Book Business, in one of the principal cities, from which was realized last year a proft, over and above all expenses, of \$.0,000. Address STATIONER, box 3,265 New York Post office, when full particulars will be given.

A WILL ESTABLISHED EXPRESS BUSINESS FOR sale cheap-A good chance for the right man. Call from 9 to 11 A. M. SMITH, 276 Canal street.

A LEGITIMATE AND HONORABLE BUSINESS RE-capital: it will not 12) per cent on investment. Particu-lars of Mr. JEFFERS, No. 9 Bleecker street.

A N ACTIVE, ENTERPRISING PARTY, WITH \$6,000, wanted to join advertiser in a legitimate, safe and profitable business; particulars on interview. Address SIVAD, Hersial office.

A LADY CONVERSANT WITH HOTEL BUSINESS and having bedroom furniture for 10 or 12 rooms, wishes a party with money to start a small hotel. 49 West Fourth street. FIRST CLASS GROCERY STORE, WITH GOOD Stock, Lease, Horse, Wagon and Fixtures, doing good business; maste be soid immediately as the owner wants money bad. Address PRESSED, Herald Uptowa Branch office.

AM DESIROUS TO TAKE AN INTEREST AND 1 charge of a light manufacturing business where the chinery is needed, having a full knowledge of it, a some cash. Address R. R. R., box 107 Heraid office.

MANUFACTURING BUSINESS, ESTABLISHED three years, for rate.—Easily managed; article in demand by whole safe trade, with good margintor profit; price #3.000. Apply to GRIGGS, CARLETON & CO., 98 Broadway. THE SUBSCRIBER IS DESIROUS OF ASSOCIATING himself with a first class manufacturing house of lades neck wear; can control a large trade with the West and in this cety; best references. Address R. G. C., Heraid office.

TO A PARTY ABLE TO COMMAND ABOUT \$100,000-A most desirable opportunity is afforded in the con-tinuance of a banking and exchange business aiready established, with a numerous and valuable list of corres-pondents, both at home and abread. Address & F., box 135 ideald office.

To CAPITALISTS.—A PARTY NEGOTIATING GOV-comment contracts on: 30 days time and paying a good profit desires to meet a gentleman with from \$5,000 to \$25,000, to execute the same: a rare chance is offered to the right person. Address W. S. O., box 116 Herald office.

TOWO OR THREE GENTLEMEN, WITH CAPITAL TO

WANTED-A PARTNER, A PRACTICAL GROCER, with a cash capital of \$10,000 to \$15,000, in the grocery, wine, inquer and cigar trade, for a Chicago house, for particulars inquire of E. H. GARBUIT & CO., 46-Warren street.

WANTED-A PARTNER WITH FROM \$15,000 TO \$20,000 in m old and well known manufacturing establishment; money to take the place of capital to be retired; would prefer a partner to take charge of the financial affairs of the bease, but one with a good outside trade would be accepted; the best of references will be given and required. Address B. J., Brooklyn Post office, with name and address.

WANTED-A MAN, WITH A CAPITAL OF \$500, to start in the egg business. I have a good trads-and require assistance; good, profitable business. Address BUSINESS, Herall effice.

\$500 WILL BUY A VERY USEFUL INVENTION, in. This will be a fortune to some man with a little meney. Working model can be seen by addressing J. M. C., box 184 Herald office.

\$1.000 WILL BUY ONE-HALF INTEREST IN a good business; part cash, balance on time. Call at mil., No. 109 Orchard street, Greenpoint, L. L. \$1.500. -PARTNER WANTED IN A PERMANENT cash offee business that will pay \$20,000 per annum; particulars on interview. Address A. B., box 116 Herald office.

\$6.000. WANTED, A YOUNG MAN AS PART, with the above amount, in a steady manufacturing business, been established seven years; employed hands the year round. Address, for one week, BUSINESS, Heraid office.

A L. STANDARD AMERICAN BEVEL TABLES AND the Phelan & Collender Combination Cushions, for sale only by the patentee, H. W. COLLENDER, successor to Phelan & Collender, 738 Broadway, New York. A -A LARGE ASSORTMENT OF NEW AND SECOND hand Billiard Publes constantly on hand, at GEO. E. PHELAN'S, No. 7 Bareigy street, New York.

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